

65-1,186. Facility operator; certification; responsibility for employee training. (a) (1) As a condition of issuance of a permit for a swine facility that has an animal unit capacity of 1,000 or more, the operator of the facility shall be certified by the department, or by a third party approved by the department, as to the operator's knowledge of:

- (A) Management of manure and wastewater;
- (B) nutrient utilization planning and implementation;
- (C) emergency response planning and implementation, if required; and
- (D) the other requirements of this act.

(2) If the department has not established or sanctioned an operator certification program at the time that a swine facility applies for a permit, or if a vacancy occurs in a certified operator position, the department may issue a permit for the facility without the operator certificate, and the operator shall complete the certification program within six months after it is established or sanctioned.

(b) The operator of each swine facility shall be responsible for the training of employees or contractors required by subsection (f)(7)(A) of K.S.A. 65-1,182 and amendments thereto (supervisors of land application), subsection (f)(7)(B) of K.S.A. 65-1,182 and amendments thereto (persons who conduct land application) and subsection (c) of K.S.A. 65-1,184 and amendments thereto (persons responsible for implementing the emergency response plan).

History: L. 1998, ch. 143, § 10; May 7.